

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

United States of America	}	8:08CR177
	}	
v.	}	ORDER
	}	
David D. Johnson	}	

Before the Court is defendant's Motion to Dismiss (Filing No. 83). After reviewing the matter, the Court will grant the motion. Therefore, the defendant's Motion to Vacate under 28 U.S.C. 2255 (Filing No. 68) is hereby DISMISSED.

DATED this 17<sup>th</sup> day of June, 2010

BY THE COURT:

s/ Joseph F. Bataillon  
United States District Judge